

REMARKS

Applicants have cancelled the claims on file, and have substituted new claims 35-37 for examination and allowance. Examiner's objection and rejection under section 112 have been considered in the new claims, and Applicants believe the problems are corrected in the new claims.

For the rejections under sections 102 and 103, Applicants have considered the cited art, and contend the new claims are novel and patentable over the cited art. The claims provide for managing availability of finger resources in a communication system. The pilot signal energy search window threshold is a type of threshold that is used for deciding whether the received energy of the signal is within a sufficient level to allow assigning a finger for processing a received signal. The adjustment of the pilot signal energy search window threshold allows availability of a different number of fingers for processing received signals by changing condition of one of the fingers as determined in at least one of the items recited in (a)-(e), as claimed.

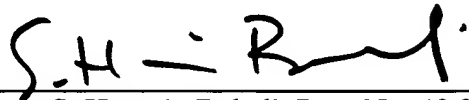
The cited art(s) contend with processes for power control in a communication system. For example in Saints (6,097,972), the threshold is a power control process (i.e. loop) threshold, and not a "pilot signal energy search window threshold." Moreover, in Sadri (6,621,808), the [power control] threshold may vary based on the number of Rake finger used. In such a process, the fingers are assigned already, and the [power control] threshold may vary based on the assigned fingers. Therefore, there is a marked difference between the cited art(s) and the claimed invention in both the type of threshold(s) and operation of the threshold(s) in the communication system.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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